

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DOLORES VALENZUELA, et al.,

Plaintiffs,

v.

BEST-LINE SHADES, INC., et al.,

Defendants.

Case No. 19-cv-07293-JSC

**ORDER RE: DEFAULT JUDGMENT  
PROCEDURE**

The Court has reviewed Plaintiffs' supplemental submissions regarding the second administration of class notice. (Dkt. Nos. 95, 97.) Plaintiffs shall file a renewed motion for default judgment by August 7, 2023.

The Court reminds Plaintiffs while the well-pleaded factual allegations in the complaint are taken as true following entry of judgment, to recover damages, a plaintiff must prove the relief it seeks through testimony or written affidavit. *See TeleVideo Sys., Inc. v. Heidenthal*, 826 F.2d 915, 917 (9th Cir. 1987). Accordingly, to the extent Plaintiffs intend to seek damages under the California Labor Code, Fair Labor Standards Act, and the Private Attorneys General Act, Plaintiffs are required to prove the amount of damages sought for each claim. *See, e.g., Mancuso v. Tauber*, No. 12-10360 FMO (JCx), 2016 WL 7647658, at \*7-10 (C.D. Cal. May 31, 2016); *Garybo v. Bros.*, No. 15-CV-01487 DAD (JLT), 2020 WL 2765661, at \*10 (E.D. Cal. May 28, 2020), *report and recommendation adopted in part, rejected in part sub nom. Garybo v. Bros.*, 2021 WL 4493502 (E.D. Cal. Oct. 1, 2021). Plaintiffs cannot rely upon the "averages" set forth in their prior motion for default judgment. (Dkt. No. 73 at 25-27.) Rather, Plaintiffs shall utilize the

1 Paychex payroll and timekeeping records which are in their possession to prove up the  
2 damages sought for each claim.

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4 **IT IS SO ORDERED.**

5 Dated: July 3, 2023

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8 JACQUELINE SCOTT CORLEY  
9 United States District Judge  
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